

HOUSE BILL No. 1192

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-16-6-6.

Synopsis: Child support. Provides that the duty to support a child at least 18 years of age may not be terminated on the grounds that the child: (1) has not recently attended and is not enrolled in a secondary or postsecondary school; and (2) is self-supporting or capable of being self-supporting through employment; if the child is absent from school or is not employed because the child is providing care for a physically disabled custodial adult.

Effective: July 1, 2002.

Steele, Kuzman

January 10, 2002, read first time and referred to Committee on Judiciary.

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Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

HOUSE BILL No. 1192

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 31-16-6-6 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 6. (a) The duty to
3 support a child under this chapter ceases when the child becomes
4 twenty-one (21) years of age unless any of the following conditions
5 occurs:

6 (1) The child is emancipated before becoming twenty-one (21)
7 years of age. In this case the child support, except for the
8 educational needs outlined in section 2(a)(1) of this chapter,
9 terminates at the time of emancipation, although an order for
10 educational needs may continue in effect until further order of the
11 court.

12 (2) The child is incapacitated. In this case the child support
13 continues during the incapacity or until further order of the court.

14 (3) The child:

15 (A) is at least eighteen (18) years of age;

16 (B) has not attended a secondary or postsecondary school for
17 the prior four (4) months and is not enrolled in a secondary or



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1 postsecondary school; and

2 (C) is or is capable of ~~supporting himself or herself~~
3 **self-support** through employment.

4 In this case the child support terminates upon the court's finding
5 that the conditions prescribed in this subdivision exist, **unless**
6 **subsection (b) applies.**

7 ~~However,~~ (b) If the court finds that the conditions set forth in
8 ~~clauses (A) through (C)~~ **subsection (a)(3)** are met but that the child is
9 only partially ~~supporting self-supporting~~ or is capable of only ~~partially~~
10 ~~supporting, himself or herself,~~ **partial self-support**, the court may
11 order that support be modified instead of terminated. **Child support**
12 **may not be terminated or modified under subsection (a)(3) if the**
13 **child does not attend school under subsection (a)(3)(B) or is not**
14 **employed under subsection (a)(3)(C) because the child is providing**
15 **care for a physically disabled custodial parent.**

16 ~~(b)~~ (c) For purposes of determining if a child is emancipated under
17 subsection (a)(1), if the court finds that the child:

18 (1) has joined the United States armed services;

19 (2) has married; or

20 (3) is not under the care or control of:

21 (A) either parent; or

22 (B) an individual or agency approved by the court;

23 the court shall find the child emancipated and terminate the child
24 support.

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